

# Notice of Allowability

Application No.

10/682,431

Examiner

George Nguyen

Applicant(s)

HOLMES, MARK J.

Art Unit

3723

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to \_\_\_\_.
2. ☒ The allowed claim(s) is/are 1-10.
3. ☒ The drawings filed on 22 January 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

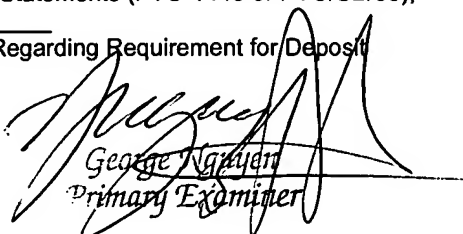
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

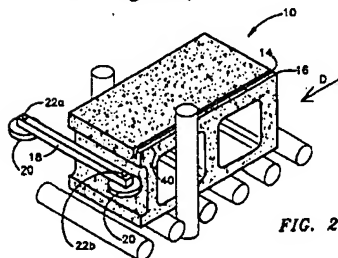
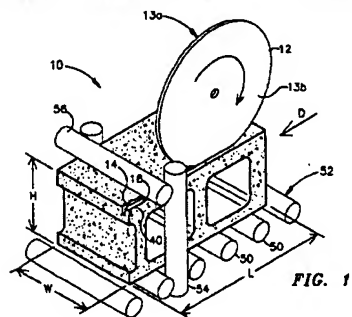
1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_

  
George Nguyen  
Primary Examiner

### REASONS FOR ALLOWANCE

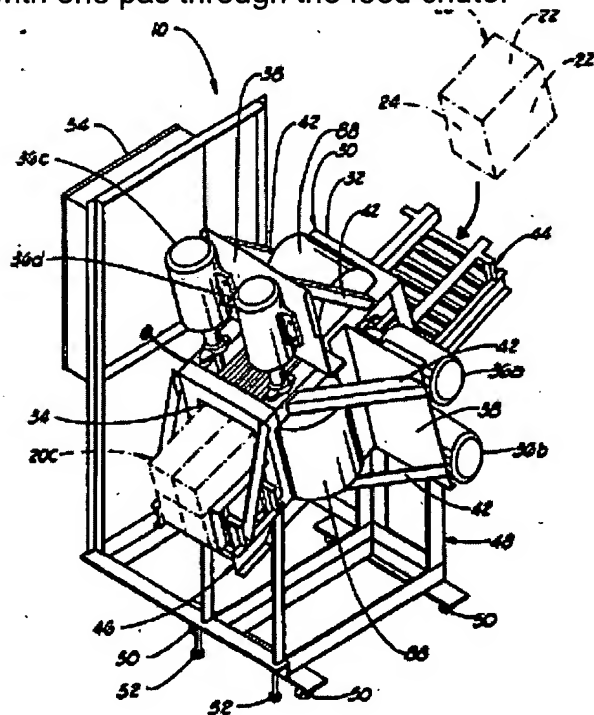
The following is an examiner's statement of reasons for allowance: the specific limitations of "adjusting dual stone cutting saw blades ... one-eighth of an inch" in the combination as claimed in claim 1 are not anticipated nor made obvious by the prior art of record in the examiner's opinion. For example, With reference to Figs. 1-2, Ellison's 5,758,634 discloses concrete shearing method for creating a step in the edge of a concrete block. The method includes conveying the concrete block through a sawing station that saws a thin groove and leaves a thin strip of concrete near the edge of the block. The block is then conveyed through a shearing station that includes two rollers mounted to a bar. The inner distance between the outer peripheries of the rollers is set to less than the thickness of the block and the resultant shear created by the roller arrangement shears the narrow strip of concrete from the block. The step created in the block is very even and rectangular in shape.

U.S. Patent      Jan. 4, 1998      Sheet 1 of 2      5,758,634

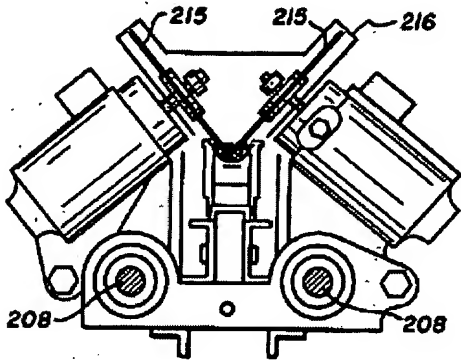


Art Unit: 3723

With reference to Figure 1, col. 2, lines 14-48, Allen's 5,189,939 discloses an apparatus for cutting a block of ice. To facilitate the transfer of the uncut block of ice into the feed chute of the frame, a feed assembly is secured to frame to assist in removing the cut ice from the frame. The frame is mounted on a stand in an inclined position with the feed assembly higher than the discharge assembly to allow gravity feed of the ice. A gang of blades are used with the saws in order to cut the block of ice into smaller sized blocks with one pass through the feed chute.



With reference to Figure 6, col. 4, lines 54-59, Cymbalisty et al.'4,327,174 discloses an apparatus for cutting a core of tar sand with a pair of angularly disposed, driven, circular saws 215 which are mounted on the saw carriage 209. The saws 215 are preferably positioned so that the lower margins are slightly spaced apart. The blades of the saws preferably may be of the diamond-edge type used for masonry work.



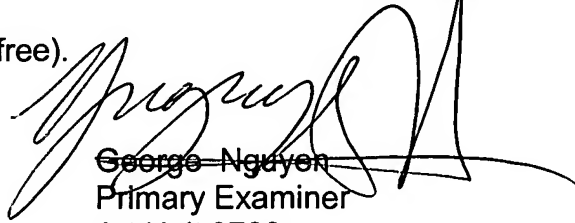
However, the prior art of record fails to provide or suggest: the specific limitations of “adjusting dual stone cutting saw blades ... one-eighth of an inch” in the combination as claimed in claim 1.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Nguyen whose telephone number is 703-308-0163. The examiner can normally be reached on Monday-Friday/630AM-300PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail can be reached on 703-308-2687. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*George Nguyen*  
*Primary Examiner*



~~George Nguyen~~  
Primary Examiner  
Art Unit 3723

GN – December 09, 2004